

IN SENATE OF THE UNITED STATES.

JANUARY 11, 1848.

Submitted, and ordered to be printed.

Mr. MASON made the following

REPORT:

[To accompany bill S. No. 25.]

*The Committee of Claims, to whom was referred the bill (S. No. 25)
for the relief of Susan E. Gordon, report thereon:*

It appears from the affidavits of sundry witnesses, that Colonel George Fisher, in the year 1812, opened a plantation on public lands in the Territory of Mississippi, which he held only by right of possession; that he placed on it a number of slaves, with a large stock of cattle, hogs, &c., and planted large fields of corn and other grain; that in the following year, whilst absent for the purpose of removing his family to said plantation, hostilities broke out amongst the neighboring Indians, who made incursions into the settlement, and drove off the overseer and people left by Colonel Fisher on his plantation, and committed the usual depredations of Indian war; that subsequently Colonel Fisher, by leave of the officer commanding the troops in that country, planted again a large field of corn on Alabama river with the aid of his negro force, near to and under the protection of the troops; and it appears, also, that Colonel Fisher had on his plantation at the commencement of hostilities a small store of groceries, &c., with some other merchandise.

It is stated in the affidavit, that the whole of the property of Fisher was destroyed pending these hostilities with the Indians, as well his crops stored or saved as those that were growing. The evidence is distinct enough to show the losses complained of, but, with a single exception, it furnishes no guide to distinguish between such as was destroyed by the Indians and such as was destroyed or used by the troops. The exception is, that a large field of corn growing on the Alabama river was destroyed by the horses of the troops, which were turned into the field by order of some of the officers.

Your committee, then, whilst there is satisfactory proof that your petitioner is entitled to relief, have no alternative but to adopt the recommendation of previous committees, that the claim be referred to an accounting officer, with instruction to audit and settle the account for losses sustained by act of the military, upon such proof as may be exhibited, and with due regard to principles of equity and justice; and they report the bill, with an amendment, accordingly.

